

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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FRANK BRISCO,

Petitioner,

- against -

WILLIAM PHILLIPS, acting Superintendent  
of Green Haven Correctional Facility,

Respondent.  
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**JUDGMENT**

CV-04-0829 (ADS)

A Memorandum of Decision and Order of Honorable Arthur D. Spatt, United States District Judge, having been filed on August 13, 2009, denying the petition for a writ of habeas corpus pursuant to the Mandate issued by the Second Circuit, and directing the Clerk of Court to close this case, it is

**ORDERED AND ADJUDGED** that petitioner take nothing of respondent; that the petition for a writ of habeas corpus is denied; and that this case is hereby closed.

Dated: Central Islip, New York  
August 13, 2009

ROBERT C. HEINEMANN  
CLERK OF THE COURT

By: /s/ Catherine Vukovich  
Deputy Clerk